



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
STATION PLACE  
100 F STREET, NE  
WASHINGTON, DC 20549-2465

Office of FOIA Services

March 26, 2019

Ms. Beryl Lipton  
MuckRock News  
411A Highland Ave., DEPT MR 70842  
Somerville, MA 02144-2516

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552  
Request No. **19-01683-FOIA**

Dear Ms. Lipton:

This letter is in response to your request, dated March 22, 2019, and received in this office on March 25, 2019, for information regarding funding, staffing, and activities of the SEC's FOIA program. Specifically, you requested (for ease of reference we numbered each item in your request):

1. **Budget materials** - for the years 2017, 2018, and 2019, all budget materials or plans applicable to offices responsible for processing and response to FOIA requests and appeals submitted to this Bureau and its offices.
2. **Staffing orders/reports/contacts** - for the years 2017 and 2018:
  - a. staffing reports and plans, including the count of employee numbers and for offices responsible for processing and responses to FOIA requests and appeals submitted to this Bureau and its offices. If this report is available in a form that includes the total number of hours worked for FOIA personnel, that version would be preferred. If reports are available for each month, that version is preferred.
  - b. all staffing reports and plans for the year 2019. If reports are available for each month, such a version is preferred.
  - c. contact information, including email addresses and phone numbers (if available), for each FOIA officer currently tasked with an open public records request.

3. **FOIA requester categories** - for the years 2017 and 2018, the designated category of each requester of a FOIA request to this office. If this information is kept in an aggregate form including the number of requesters by fee category by year, a copy of this report will suffice to fulfill this element of the request.
4. **FOIA fee waivers** - for the years 2017 and 2018, the number of fee waivers granted by this office and, if available, the tracking numbers for the FOIA requests to which waivers were granted.
5. **FOIA fee collection** - for the years 2017 and 2018, any report capturing the following information:
  - a. total estimated processing and copy fees quoted to FOIA requesters;
  - b. total processing and copy fees collected by this Bureau from each fee category

Enclosed are records responsive<sup>1</sup> to your request. Taking each item of your request in turn:

- **Item 1 for budget materials:** The SEC's Annual FOIA Reports at Section IX provides information on the portion of SEC's budget spent in support of the FOIA program. The reports are available on our website and the relevant data is shown in the chart below.

FOIA Budget		
2017	2018	2019
\$7,895,241.00	\$9,096,609.00	TBD

- 2017: <https://www.sec.gov/foia/arfoia17.pdf>
- 2018: <https://www.sec.gov/foia/arfoia18.pdf>
- 2019: Data is not available at this time.

---

<sup>1</sup> As a preliminary matter, the enclosed response is based on fiscal year data. If you would like the information based on a calendar year time frame we would be happy to do that, however it will add significant processing time and delay our final response to you.

- **Item 2 for staffing orders/reports/contacts:**
  - a. Total number of employees by office responsible for processing and responding to requests and appeals in 2017 and 2018: *See enclosed spreadsheet.*
  - b. At this point in time there are no responsive records for 2019.
  - c. Contact information for FOIA officers tasked with an open request: *See enclosed spreadsheet.*
- **Item 3 for FOIA requester categories:** This information is available on the Raw Data Reports available on our website at the following location: <https://www.sec.gov/foia/foia-reports.shtml#annual>. In addition, the chart below shows the requested information. This information is also available at the same link (click on "Comparison Chart").

FOIA REQUESTS BY CATEGORY OF REQUESTOR	2017		2018	
	Requests Received by:	% of total requests rec'd	Requests Received by:	% of total requests rec'd
Commercial	7407	57%	9132	64%
News Media	3063	23%	3173	22%
Educational	1335	10%	427	3%
Government	21	>1%	15	>1%
Other	1237	9%	1482	10%
<i>Total Requests Received</i>	<i>13063</i>	<i>100%</i>	<i>14229</i>	<i>100%</i>

- **Item 4 for the number of fee waivers granted and the associated FOIA tracking number for 2017 and 2018:** *See enclosed spreadsheet.*
- **Item 5 for FOIA fee collection:**
  - a. All qualifying requesters are asked to pay up to \$61.00 in processing costs.
  - b. Total processing and copy fees collected: *See enclosed spreadsheet.*

You have the right to appeal the adequacy of our search or finding of no responsive information to the SEC's General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(f)(1). The appeal must be received within ninety (90) calendar days of the date of this adverse decision. Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

You may file your appeal by completing the online Appeal form located at [https://www.sec.gov/forms/request\\_appeal](https://www.sec.gov/forms/request_appeal), or mail your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2465, Washington, D.C. 20549, or deliver it to Room 1120 at that address.

If you have any questions, please contact me at [katiliusl@sec.gov](mailto:katiliusl@sec.gov) or (202) 551-7910. You may also contact me at [foiapa@sec.gov](mailto:foiapa@sec.gov) or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at [foiapa@sec.gov](mailto:foiapa@sec.gov) or (202) 551-7900. For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,

A handwritten signature in black ink, appearing to read "L Katilius". The signature is fluid and cursive, with a large initial "L" and a stylized "K".

Lizzette Katilius  
FOIA Branch Chief

Enclosures

## ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at [ogis@nara.gov](mailto:ogis@nara.gov). Information concerning services offered by OGIS can be found at their website at [Archives.gov](https://www.archives.gov). Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.